

Hearing Date: No hearing scheduled  
Location: <<CourtRoomNumber>>  
Judge: Calendar, 11

FILED  
6/17/2022 3:25 PM  
IRIS Y. MARTINEZ  
CIRCUIT CLERK  
COOK COUNTY, IL  
2020CH04431  
Calendar, 11  
18337492

FILED DATE: 6/17/2022 3:25 PM 2020CH04431

# Exhibit 3

## Freilich, Matt

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**From:** Schwab, Stephen W.  
**Sent:** Thursday, May 5, 2022 9:47 AM  
**To:** Jackie Stevens  
**Cc:** Guberman, Daniel; Freilich, Matt; ccc chancerycalendar11; Jones, Margaret; Mendelsohn, David; Cerda, Tony  
**Subject:** RE: Redacted Complaint and June 9 order

Ms. Stevens:

No need for a supplemental motion. Matt will please refile the documents, and our docket clerk will try to inform the clerk that the unredacted copies are to be sequestered.

Apologies to the Court for this string.

Best wishes.

**Stephen W. Schwab**

Partner

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**From:** Jackie Stevens <jackiestevens@protonmail.com>  
**Sent:** Tuesday, May 3, 2022 2:54 PM  
**To:** Schwab, Stephen W. <Stephen.Schwab@us.dlapiper.com>  
**Cc:** Guberman, Daniel <DGuberman@osdchi.com>; Freilich, Matt <Matt.Freilich@us.dlapiper.com>; ccc chancerycalendar11 <ccc.chancerycalendar11@cookcountyil.gov>; Jones, Margaret <Margaret.Jones@ilag.gov>; Mendelsohn, David <david.mendelsohn@us.dlapiper.com>  
**Subject:** RE: Redacted Complaint and June 9 order

 **EXTERNAL MESSAGE**

Mr. Schwab,

Your statement is inconsistent with the order of November 29, 2021. The order states, "**NextLevel shall file a redacted version of...**" the Complaint and the Order. It does not state the clerk for the court to file redacted documents. Based on what you are stating, it would appear that NextLevel did not comply with the court's order and that instead your position is the the clerk for Judge Meyerson should have extracted the redacted pdf from your exhibit submissions and submitted them to the Chancery Division.

If I do not hear otherwise, I will be filing a supplemental motion.

Also, as you know, I do not normally copy the court on our communications. In light of the fact that this involves long-standing questions about the docket, it seemed appropriate, and especially so insofar as you are now directly implicating the court's clerk in the subject matter of my query.

Jacqueline Stevens  
Professor  
Northwestern University

----- Original Message -----

On Tuesday, May 3rd, 2022 at 3:35 PM, Schwab, Stephen W. <[Stephen.Schwab@us.dlapiper.com](mailto:Stephen.Schwab@us.dlapiper.com)> wrote:

Ms. Stevens:

Our understanding is the same as Daniel's. The Court has the redacted documents, but litigants cannot require the Clerk to make substitutions in a court file. Perhaps Judge Meyerson's chambers can assist? We will do whatever the Court wishes on this point.

FYI, ordinarily litigants do not cc the court on communications between them, unless the court directs otherwise.

Thanks and best wishes.

**Stephen W. Schwab**

Partner

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**From:** Jackie Stevens <[jackiestevens@protonmail.com](mailto:jackiestevens@protonmail.com)>  
**Sent:** Tuesday, May 3, 2022 2:15 PM  
**To:** Guberman, Daniel <[DGuberman@osdchi.com](mailto:DGuberman@osdchi.com)>  
**Cc:** Freilich, Matt <[Matt.Freilich@us.dlapiper.com](mailto:Matt.Freilich@us.dlapiper.com)>; ccc chancerycalendar11 <[ccc.chancerycalendar11@cookcountyiil.gov](mailto:ccc.chancerycalendar11@cookcountyiil.gov)>; Jones, Margaret <[Margaret.Jones@ilag.gov](mailto:Margaret.Jones@ilag.gov)>; Schwab, Stephen W. <[Stephen.Schwab@us.dlapiper.com](mailto:Stephen.Schwab@us.dlapiper.com)>; Mendelsohn, David <[david.mendelsohn@us.dlapiper.com](mailto:david.mendelsohn@us.dlapiper.com)>  
**Subject:** RE: Redacted Complaint and June 9 order

 EXTERNAL MESSAGE

Mr. Guberman,

Thank you for this information. I'm still curious as to whether NextLevel actually submitted to the Chancery Division the redacted documents for purposes of the replacement. The only redacted files I have been able to locate from the documents the Chancery Division provided to me in January were the ones filed as exhibits to the motion for them to be redacted.

Mr. Frielich, can you please let me know whether NextLevel filed redacted complaint and order with the Chancery Division and if so, when that happened?

Also, although I am not familiar with the protocols, it would make sense if the Chancery Division noted the replacement with a dated docket entry.

Thanks so much,

Jacqueline Stevens

Professor

Northwestern University

----- Original Message -----

On Tuesday, May 3rd, 2022 at 2:23 PM, Guberman, Daniel <[DGuberman@osdchi.com](mailto:DGuberman@osdchi.com)> wrote:

Professor Stevens,

My recollection is that the court's order required that the unredacted copies of the complaint and conservation order be replaced, not that new filings be made. I think the court was provided with the redacted copies in order to effectuate the replacement of the two documents.

*Daniel A. Guberman*

Senior Deputy General Counsel

Compliance and Conflict Officer

Office of the Special Deputy Receiver

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**From:** Jackie Stevens <[jackiestevens@protonmail.com](mailto:jackiestevens@protonmail.com)>

**Sent:** Tuesday, May 3, 2022 11:34 AM

**To:** Freilich, Matt <[Matt.Freilich@us.dlapiper.com](mailto:Matt.Freilich@us.dlapiper.com)>

**Cc:** ccc chancerycalendar11 <[ccc.chancerycalendar11@cookcountyil.gov](mailto:ccc.chancerycalendar11@cookcountyil.gov)>; Jones, Margaret <[Margaret.Jones@ilag.gov](mailto:Margaret.Jones@ilag.gov)>; Guberman, Daniel <[DGuberman@osdchi.com](mailto:DGuberman@osdchi.com)>; Schwab, Stephen W. <[Stephen.Schwab@us.dlapiper.com](mailto:Stephen.Schwab@us.dlapiper.com)>; Mendelsohn, David <[david.mendelsohn@us.dlapiper.com](mailto:david.mendelsohn@us.dlapiper.com)>

**Subject:** Redacted Complaint and June 9 order

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Mr. Freilich,

I write to inquire as to whether NextLevel actually filed with the Chancery Division a redacted complaint and redacted order of June 9, 2020, per the 11/29/2021 order of Judge Meyerson? In doing a search of the records released to me in January, 2022 I only see the redacted versions as exhibits to NextLevel's motion for sealing, and not as separate filings. These digital records were released to me with long gibberish file names and the files themselves show now dates for when anything is filed. According to the supposedly updated Chancery Division docket for this case, it does not appear that NextLevel submitted any such filings between November 29, 2021 and when I filed my intervenor motion.

Thank you,

Jacqueline Stevens

Professor

Northwestern University

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